

Annex H4, Continuity of Government

Primary Agency: Illinois Emergency Management Agency (IEMA)

Support Agencies: Illinois Department of Central Management Services (CMS)
Illinois Secretary of State (SOS)
Illinois State Police (ISP)

Other
Organizations: Illinois State Agencies, Boards and Commissions

I. Introduction

A. Purpose

1. Continuity of Government (COG) is the preservation, maintenance or reconstitution of constitutional authorities and responsibilities during times of crisis and/or throughout events that may affect the seat of constitutional government. The State of Illinois Continuity of Government (SOI-COG) plan defines the constitutional and statutory provisions related to continuity of government.
2. The SOI-COG does not address long-term reconstitution or devolution actions.

B. Scope

1. This annex addresses state government's continuation, resumption, and recovery from any incident, emergency, or disaster that threatens to obstruct the ability to carry out constitutional authorities and responsibilities in three specific areas: seat of government, lines of succession, and emergency powers.
2. This annex does not:
 - a) address the building or agency specific emergency action plans or occupant emergency plans, nor agency specific Continuity of Operations Plans (COOP);
 - b) consider long-term reconstitution or devolution actions; or
 - c) supersede individual emergency plans specific to judicial, legislative, of executive offices, and/or enabling authorities for continuation of government outlined in the State of Illinois Constitution or Illinois Compiled Statutes and Administrative Code.

C. Policy

3. Procedures for utilization, control and use will incorporate and/or consider operational priorities that include, but are not limited to, the protection of life, public health and safety, property protection,

environmental protection, restoration of essential utilities, restoration of essential program functions and coordination as appropriate.

4. The governor or designee will authorize and direct the use of state resources to provide support and assistance to response and recovery efforts after consideration of both priority of need and cost.
5. State response and recovery personnel will be trained for assigned missions and, to the extent possible, made aware of potential risks involved.

D. Situation Overview

1. A catastrophic event or crisis situation has occurred resulting in the unavailability or loss of some elements of constitutional government
2. Emergency authorities specified pursuant to the State of Illinois Constitution and/or Illinois Compiled Statutes are in-place.
3. Recognized officials are providing public information updates to reassure and inform citizens on the government's viability.

E. Definitions

1. Attack: Means any attack or series of attacks by an enemy of the United States causing, or which may cause, substantial damage or injury to civilian property or persons in the United States in any manner by sabotage or by the use of bombs, missiles, shellfire, or atomic, radiological, chemical, bacteriological or biological means or other weapons or processes.
2. Disaster: Means a situation determined by the Governor to be an occurrence or threat of catastrophic and widespread injury or loss of life or property resulting from any natural or manmade cause, including but not limited to fire, flood, earthquake, epidemic and explosion.
3. Emergency interim successor: Means a person designated in the event an officer is unavailable, to exercise the powers and discharge the duties of an office until a successor is appointed or elected and qualified as may be provided by the constitution, statutes, charters and ordinances or until the lawful incumbent is able to resume the exercise of the powers and discharge the duties of the office.
4. Office: Includes all state and local offices, the powers and duties of which are defined by the constitution, statutes, charters, and ordinances, except the office of governor, and except those in the legislature and the judiciary.
5. Political subdivision: Includes counties, cities, incorporated towns, villages, townships, districts, authorities, and other public corporations and entities whether organized and existing under charter or general

law.

6. Unavailable: Means either that a vacancy in office exists and there is no deputy authorized to exercise all of the powers and discharge the duties of the office, or that the lawful incumbent of the office (including any deputy exercising the powers and discharging the duties of an office because of a vacancy) and his duly authorized deputy are absent or unable to exercise the powers and discharge the duties of the office.

F. Assumptions

1. Constitutional government will be restored.
2. Government is providing up-to-date and verified information to the citizens of Illinois on the status of government.
3. Force security and protection resources are activated and in-place to ensure public and government security.
4. Communication between federal, state, and local government are being maintained to present a common operating picture and to maintain situational awareness.
5. County and Municipal Emergency Operations Centers (EOCs) are activated in support of continuity of government operations.
6. Locations used for the resumption of constitutional government are secured and operational.
7. Local, state, federal, mutual aid, and private resources may be utilized as necessary throughout continuity of government operations.

G. Limitations

1. Procedures for utilization, control and use of resources activated by the SEOC will incorporate and/or consider operational priorities that include, but are not limited to the protection of life, public health and safety, property protection, environmental protection, restoration of essential utilities, restoration of essential program functions and coordination as appropriate.
2. Personnel will be trained to assigned missions and, to the extent possible, made aware of potential risks involved.
3. Resources available for continuity of government operations may be limited by location, training and/or operational readiness.
4. Mutual aid may be incapable of providing resources in a safe and timely manner due to operational constraints.
5. Long-term recovery is not considered in the SOI-COG.

II. Concept of Operations

A. General

1. The SOI-COG provides strategic and operational guidelines for State agencies, and other organizations activated pursuant to the Illinois Emergency Management Agency Act (20 ILCS 3305) during times of crisis and throughout events affecting the seat of government.
2. The SOI-COG will be considered from initial incident response until no imminent life safety issues are reasonably identified and the seat of constitutional government and/or constitutional authorities are restored/resumed.
3. The Executive Branch shall implement appropriate and timely actions to ensure the continuance of government functions and services to include the ascendance of succession for the Chief Executive Officials.
4. The Legislative Branch shall implement of appropriate and timely actions to ensure the continuance of government functions and services to include:
 - a) the ascendance of succession for legislative leadership;
 - b) ascendance of the constitutionally authorized chief elected official, if the individual holding that position is incapacitated or rendered unfit or unable to fulfill the obligations of the Governor's Office; and
 - c) to support the implementation of appropriate provisions of the Constitution of the State of Illinois and all other statutes addressing the continuity of government, succession and emergency powers.
5. The Judicial Branch shall implement appropriate and timely actions to ensure the continuance of government functions and services to include the ascendance of succession for judicial leadership and ascendance of a constitutionally authorized chief elected official as appropriate.
6. Gubernatorial Succession
 - a) In the event that the Governor, for any of the reasons specified in Article V, Section 6 of the Constitution of the State of Illinois, is not able to exercise the powers and discharge the duties of his office, such powers and duties of the office shall be exercised by the officer next in line of succession, in the order named as follows:
 - 1) The Lieutenant Governor;

- 2) The elected Attorney General;
 - 3) The elected Secretary of State;
 - 4) The elected Comptroller;
 - 5) The elected Treasurer;
 - 6) The President of the Senate;
 - 7) The Speaker of the House of Representatives.
 - b) The officer next in line of succession shall serve as Governor for the remainder of the term if he succeeds to the office by reason of death, conviction on impeachment or resignation of the Governor.
 - 1) If he succeeds to the office by reason of temporary disability or failure to qualify by the Governor, he shall serve until the Governor qualifies or the disability is removed.
 - 2) An officer who succeeds to the office of Governor by reason of temporary disability of the Governor shall be designated Acting Governor.
 - c) If an officer next in line of succession shall fail to qualify or if his office is vacant, then the officer next in line of succession after him who is qualified shall serve as Governor.
7. Vacancies in Other Elected Offices
- a) If the Attorney General, Secretary of State, Comptroller or Treasurer fails to qualify or if his office becomes vacant, the Governor shall fill the office by appointment.
 - b) The appointee shall hold office until the elected officer qualifies or until a successor is elected and qualified as may be provided by law and shall not be subject to removal by the Governor.
 - c) If the Lieutenant Governor fails to qualify or if his office becomes vacant, it shall remain vacant until the end of the term.
8. Vacancies to Supreme Court
- a) A vacancy occurring in the office of Supreme, Appellate or Circuit Judge shall be filled as the General Assembly may provide by law. In the absence of a law, vacancies may be filled by appointment by the Supreme Court.

- b) A person appointed to fill a vacancy 60 or more days prior to the next primary election to nominate Judges shall serve until the vacancy is filled for a term at the next general or judicial election.
 - c) A person appointed to fill a vacancy less than 60-days prior to the next primary election to nominate Judges shall serve until the vacancy is filled at the second general or judicial election following such appointment.
- B. Notification, Alert and Warning
 - 1. SEOC notification, alert and warning of SEOC liaisons will be handled in accordance with IEOP Appendix A-1, Notification, Alert and Warning
 - 2. Primary and support agencies are responsible for internal and support partner notification.
- C. Activation
 - 1. SEOC activation level standard operating procedure will be used to determine staffing levels.
- D. Communications
 - 1. Communications throughout response and recovery will be conducted in accordance with standard operating procedures and managed using established procedures, processes and policies outlined in IEOP Annex 3, Communications.
 - 2. Communications will be conducted in a National Incident Management System compliant manner utilizing clear-text and frequencies coordinated with the SEOC.
- E. Resource Management and Logistics
 - 1. Resource management and logistics will be carried out in accordance with IEOP Annex 9, Resource Management.
 - 2. Resource management includes mutual aid agreements and assistance agreements, the use of special federal and state teams, and resource mobilization protocols.
- F. Safety
 - 1. Safety will be considered at all levels, with briefings occurring at all incident sites as directed by the SEOC, UAC, or designated Safety Officer.
 - 2. For the purposes of continuity of government, the ISP and/or SOS-P will be the primary security agent for operations involving constitutional officers.

3. State agencies will assign an incident commander at satellite facilities or other designated areas of operations.
 4. Incident Commanders will designate a Safety Officer at satellite facilities or other designated areas of operations.
 5. Safety Officers will conduct safety briefings at satellite facilities or other designated areas of operations.
 6. Force security and protection will be directed by the ISP for all facilities, designated areas of operation, and resources.
- G. Reporting Requirements
1. N/A
- H. Implementation Requirements
2. N/A
- I. Organization
1. Direction and Control
 - a) The Governor of the State of Illinois, or recognized and constitutionally authorized successor, may activate the SOI-COG at any time.
 - b) State agencies and external organizations retain operational control of resources.
 - c) The governor or designee has the authority to exercise overall coordination of resources belonging to the state.
 - d) SEOC liaisons will coordinate with local, state, federal and private organizations in implementing transportation management plans.
 - e) For the purposes of unity of command, coordination and management of the SEOC, the SEOC manager will transfer command to the state disaster recovery coordinator at the cessation of short-term recovery and continuation of intermediate and long-term recovery efforts.
 - f) Local governments requested to assist in operations specific to resumption of constitutional government will be directed through the State Emergency Operations Center (SEOC) to appropriate and authorized state government representatives.

- g) Based on the initiating event requiring continuity of government operations, and scope and magnitude of the event, the following guidance will be used for requests for state assistance necessary to ensure local response and recovery operations in support of the SOI-COG.
 - 1) Initial requests for local assistance necessary to carry out state operations shall be made by the SEOC manager or authorized designee.
 - 2) The SEOC manager may direct requests to the IEMA Regional Coordinator to specific units of local government as appropriate.
 - 3) When local governments' resources are not adequate or have been exhausted, requests for assistance may be directed to the Emergency Management Assistance Compact (EMAC).
 - 4) When EMAC resources are not adequate or have been exhausted, requests for assistance may be directed to the Federal Emergency Management Agency (FEMA).

2. Coordinating Elements

- b) State area command (SAC) or state unified area command (SUAC) elements may be deployed by the SEOC to coordinate information and resource requirements.
- c) One or more ESSFs may be implemented by the SEOC for specific strategic action planning for continuity of government operations.
 - 1) Strategic and operational guidance on ESSF operations can be found in IEOP Attachment 4, Element Specific Support Function Operations.
- d) Coordination between private sector organizations and state damage assessment organizations will be maintained through the SEOC and Business Emergency Operations Center.

3. Federal Coordination

- a) The SEOC will coordinate inclusion of federal assets in COG operations.

III. Roles and Responsibilities

A. Illinois Emergency Management Agency (IEMA)

1. Coordinate collection, receipt, compilation and development of situational reports on damage impacts to services, facilities, sites and programs at the federal, state and local levels.
 2. Coordinate collection, receipt, compilation and development of situational reports based on disaster intelligence and information received from state and federal agencies.
 3. Collect, analyze, de-conflict and disseminate situational reports.
 4. Prioritize and participate in COG operations.
 5. Develop and maintain maps, visual aids and displays for COG in coordination with:
 - a) Primary and support agencies
 - b) Boards and commissions
 - c) Voluntary and community-based organizations
 - d) Private sector organizations
 - e) Federal and external state agencies
 - f) Local governments
 - g) Executive and senior leadership
 6. Provide just-in-time-training and/or site specific training to personnel assigned responsibilities, missions and tasks in support of individual agency COG operations.
 7. Coordinate with federal agencies and representatives.
 8. Determine the need to request federal disaster assistance.
- A. Illinois Department of Central Management Services (ICMS)
1. Locate, acquire and maintain facilities suitable for continued functions of the executive, legislative and judicial branches upon request and direction from the SEOC.
- B. Illinois Secretary of State (SOS)
1. Implement all statutes, powers and authorities addressing the continuity of government, succession and emergency powers.
 2. Implement and coordinate law enforcement, security and protective measures necessary for the safety and operational capabilities of the executive, legislative and judicial leadership as appropriate.

C. Illinois State Police (ISP)

1. Assist with coordination and support law enforcement, security and protective measures necessary for the safety and operational capabilities of the executive, legislative, and judicial leadership as appropriate.

D. General Requirements for Other State Agencies, Boards and Commissions

1. Provide resources in support of requests approved by the SEOC.
2. As directed by the SEOC, identify land and properties suitable for alternate facilities and work locations.
3. As directed by the SEOC, identify functions, services, applications and/or staff available to support COG operations.

IV. Authorities and References

A. Authorities

1. Constitution of the State of Illinois, as amended
2. State of Illinois, Seat of Government Act, 5 ILCS 190, as amended
3. State of Illinois Emergency Seat of Government Act, 5 ILCS 195, as amended
4. Emergency Interim Executive Succession Act, 5 ICLS 275, as amended
5. State of Illinois, Governor Succession Act, 15 ILCS 5, as amended
6. State of Illinois, Illinois Emergency Management Agency Act, 20 ILCS 3305, as amended
7. State of Illinois, Department of State Police Law, 20 ILCS 2605, as amended
8. State of Illinois, Secretary of State Act, 15 ILCS 305, as amended

B. References

1. National Incident Management System (NIMS)
2. Illinois Emergency Operations Plan, as amended